

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

<b>Applicants:</b>	Koji Yamaya, et al.	<b>Examiner:</b>	Matthew John Kasztejna
<b>Serial No:</b>	10/721,518	<b>Art Unit:</b>	3739
<b>Filed:</b>	November 25, 2003	<b>Docket:</b>	17280
<b>For:</b>	ENDOSCOPE APPARATUS	<b>Dated:</b>	August 11, 2008
<b>Conf. No.:</b>	5316		

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO RESTRICTION REQUIREMENT**

Sir:

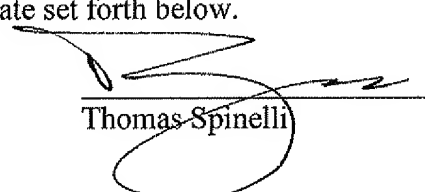
Pursuant to the restriction requirement imposed in the Official Action dated July 9, 2008, Applicants elect the claims of Group I, i.e., claims 6, 7, 9 and 10 for continued prosecution herein.

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**CERTIFICATE OF ELECTRONIC FILING**

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Dated: August 11, 2008

  
Thomas Spinelli

Claims 6-7 and 9-13 are present in the above-captioned application and have been subjected to restriction under 35 U.S.C. § 121. Specifically, the Official Action avers that the following inventions are present in the claims:

Group I, Claims 6, 7, 9 and 10, drawn to an endoscope apparatus comprising first and second channel, an observation system and first and second treatment-too; oscillating bases, classified in class 600, subclass 107; and

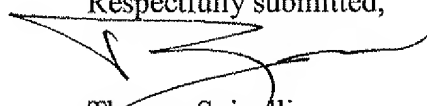
Group II, Claims 11-13, drawn to a method for guiding first and second treatment tools in an endoscope apparatus wherein the tools are projected approximately the same predetermined length, classified in class 604, subclass 500.

It is the Examiner's position that the inventions listed as Groups I and II are distinct from each other.

In response to the Examiner's requirement for restriction, Applicants elect to prosecute the subject matter of Group I, claims 6, 7, 9 and 10. However, Applicants reserve the right under 35 U.S.C. § 121 to file one or more divisional applications directed to the non-elected subject matter in this application.

In view of the foregoing, an examination on the merits of the elected claims, at an early date, is earnestly solicited.

Respectfully submitted,



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